

The Honorable James L. Robart

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CAROLINE ANGULO, a single person, ERIC KELLER, a single person, EBEN NESJE, a single person, KIRK SUMMERS, a single person, CHRISTINE BASH, individually and as a personal representative of the ESTATE OF STEVEN BASH, RAYMOND SUMERLIN JR. and MARYANN SUMERLIN, a married couple, and MARTIN WHITNEY and SHERRYL WHITNEY, a married couple,

Plaintiffs,

v.

PROVIDENCE HEALTH & SERVICES – WASHINGTON, a non-profit Washington corporation, also d/b/a PROVIDENCE ST. MARY MEDICAL CENTER; DR. JASON A. DREYER, D.O., and JANE DOE DREYER, husband and wife and the marital community thereof; DR. DANIEL ELSKENS, D.O., and JANE DOE ELSKENS, husband and wife and the marital community thereof; and JOHN/JANE DOES 1-10, and any martial communities thereof,

Defendants.

No. 2:22-cv-00915-JLR

STIPULATED MOTION AND
[PROPOSED] ORDER TO
ESTABLISH BRIEFING
SCHEDULE ON PLAINTIFFS'
MOTION TO CERTIFY CLASS
AND PROVIDENCE HEALTH &
SERVICES – WASHINGTON'S
CROSS-MOTION TO STRIKE
CLASS ALLEGATIONS

NOTE ON MOTION CALENDAR:
January 17, 2024

STIPULATED MOTION

Currently pending are Plaintiffs' Motion to Certify Class (Dkt. 132, noted for consideration on January 19, 2024) and Providence Health & Services – Washington's Cross-

STIPULATED MOTION AND [PROPOSED] ORDER
TO ESTABLISH BRIEFING SCHEDULE ON CROSS MOTIONS
RE CLASS CERTIFICATION/STRIKING CLASS ALLEGATIONS
(2:22-cv-00915-JLR) - 1

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1 Motion to Strike Class Allegations and Opposition to Plaintiffs' Motion to Certify Class
 2 (Dkt. 136, with Providence's cross motion noted for consideration on February 9, 2024).

3 In accordance with LCR 7(k), the parties stipulate (subject to Court approval) to the
 4 following briefing schedule regarding the filing of Plaintiffs' Reply in support of their Motion to
 5 Certify Class, Plaintiffs' Opposition to Providence's Cross-Motion to Strike Class Allegations,
 6 and Providence's Reply in support of its Cross-Motion to Strike Class Allegations.

7 1. Plaintiffs intend to file three Reply briefs in support of their Motion to Certify
 8 Class, responding to Providence's opposition (Dkt. 136), Dr. Dreyer's opposition (Dkt. 135), and
 9 Dr. Elskens' joinder and declaration (Dkt. 140 & 141) on or before January 31, 2024.

10 2. Plaintiffs agree to file their opposition to Providence's Cross-Motion to Strike
 11 Class Allegations (Dkt. 136) on or before January 31, 2024.

12 3. Plaintiffs intend to submit separate Reply and Opposition briefs to Providence's
 13 opposition/cross-motion unless the Court orders otherwise. Should the Court order otherwise,
 14 Plaintiffs request (and Defendants do not oppose) expanded word limits from the reply brief
 15 word limits provided by LCR 7(e)(3) to include the additional word limits provided for
 16 opposition briefs under LCR 7(e)(4), to allow Plaintiffs to fully address both their Reply and
 17 Opposition arguments to Providence's opposition/cross-motion.

18 4. Providence will submit its Reply brief in support of its Cross-Motion to Strike
 19 Class Allegations (Dkt. 136) on or before February 9, 2024, consistent with the current noting
 20 date for Providence's cross motion.

21 5. The parties ask the Court to consider both Plaintiffs' Motion to Certify Class and
 22 Providence's Cross-Motion to Strike Class Allegations on February 9, 2024. *See* LCR 7(k)
 23 ("Even if the motion and cross motion are noted for different days, the court will typically
 24 consider them together.").

25 Plaintiffs and Defendants request that the Court approve the parties' stipulations to
 26 establish a briefing schedule for these cross motions in accordance with LCR 7(k).

IT IS SO STIPULATED.

RESPECTFULLY SUBMITTED this 17th day of January, 2024.

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Services – Washington

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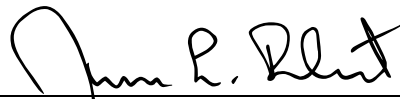
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[PROPOSED] ORDER

It is so ordered.

DATED this 18th day of January, 2024.



THE HONORABLE JAMES L. ROBERT
UNITED STATES DISTRICT JUDGE

STIPULATED MOTION AND [PROPOSED] ORDER
TO ESTABLISH BRIEFING SCHEDULE ON CROSS MOTIONS
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